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These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: January 2, 2008 /s/ROBERT C. SCHLEIN

Robert C. Schlein Attorney-at-Law Attorney for Defendant MAGANA robert@rcslaw.org

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